

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF ALABAMA
NORTHERN DIVISION

UNITED STATES OF AMERICA,)	
)	
)	
v.)	CASE NO. 2:06-CR-271-WKW
)	
COREY HARVEY, <i>et al.</i> ,)	

ORDER

On March 9, 2007, the Magistrate Judge filed a Recommendation (Doc. # 36) that Preston Grice and Corey Harvey's Motions to Dismiss (Docs. # 24 & 25) be denied. Mr. Grice and Mr. Harvey both filed Objections to the Recommendation (Docs. # 39 & 40). The Magistrate Judge subsequently filed an Amended Recommendation (Doc. # 43), which corrected an error in her original calculation of the Speedy Trial Act's seventy day period. Mr. Grice immediately filed an Objection to the Amended Recommendation (Doc. # 48). Mr. Harvey did not file a response to the Amended Recommendation of the Magistrate Judge. However, this court will construe Mr. Harvey's Objection (Doc. # 39) to the Magistrate Judge's Recommendation (Doc. # 36) as a continuing objection to the Amended Recommendation of the Magistrate Judge (Doc. # 43).

Upon an independent and *de novo* review of the file in this case, and upon due consideration of the Defendants' Objections to the Recommendation of the Magistrate Judge (Docs. # 39, 40, & 48), it is hereby ORDERED that:

1. The original Recommendation of the Magistrate Judge (Doc. # 36) is MOOT by entry of the Amended Recommendation (Doc. # 43);

2. The Amended Recommendation of the Magistrate Judge (Doc. # 43) is
ADOPTED;
3. Defendants' Objections (Docs. # 39, 40, & 48) are OVERRULED;
4. Defendants' Motions to Dismiss (Docs. # 24 & 25) are DENIED; and
5. This case is hereby REFERRED back to the Magistrate Judge for further
proceedings.

DONE this 18th day of April, 2007.

/s/ W. Keith Watkins
UNITED STATES DISTRICT JUDGE